

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/802,254
Filing Date: March 17, 2004
First Named Inventor: Marc D. ETCHELLS
Group Art Unit: 3761
Examiner Name: Melanie Jo HAND
Attorney Docket Number: 2186.005USU
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted
 i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
 ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 iii. Other _____

b. XXXXX Enclosed
 i. XXXXX Amendment/Reply with transmittal
 ii. Affidavit(s)/Declaration(s)
 iii. Information Disclosure Statement (IDS) and PTO-1449
 iv. Other _____

2. Miscellaneous

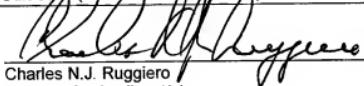
a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b. Other _____

3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 a. XXXXX The Commissioner is hereby authorized to charge the RCE fee, two-month extension of time fee and any deficiency in fees, or to credit any overpayments to Deposit Account No. 01-0467 in the name of Ohlant, Greeley, Ruggiero & Perle.
 i. XXXXX RCE fee (\$810.00) is required under 37 C.F.R. § 1.17(e)
 ii. XXXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17) (two months \$490)
 iii. Other _____

b. Check in the amount of \$ _____ enclosed
 c. Payment by credit card (Form PTO-2030 enclosed)

April 21, 2009
 Date of Signature


 Charles N.J. Ruggiero
 Attorney for Applicant(s)
 Registration No. 28,468

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CERTIFICATE OF FILING

I hereby certify that this correspondence is being filed electronically, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 21, 2009.

Lynn C. Wallach
 Name


 Lynn C. Wallach

Signature

April 21, 2009
 Date